

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

FREDERICK McSHAN

Defendant.

Case No. 2:15-cr-240

JUDGE EDMUND A. SARGUS, JR.

**ORDER**

This matter arises on Defendant Frederick McShan's Motion for Reconsideration. (ECF No. 537.) Mr. McShan asks this Court to reconsider its denial of his Motion to Reconsider 60B Motion (ECF No. 536), which was denied as untimely pursuant to the Report and Recommendation issued by the Magistrate Judge (the "Report") (ECF No. 535). Mr. McShan appears to object to the Magistrate Judge's decision to construe his Motion to Reconsider 60B Motion under Federal Rule of Civil Procedure 59(e). His objection, however, comes well after the fourteen-day objection period afforded to him by Federal Rule of Civil Procedure 72(b), which was stated in the Magistrate Judge's Report. (*See* ECF No. 535 at PageID #4932.) It also, at base, asks this Court to reconsider arguments that it has already conclude are "without merit." (ECF No. 531.)

For these reasons, Mr. McShan's Motion for Reconsideration is **DENIED**. (ECF No. 537.)

**IT IS SO ORDERED.**

7/5/2022  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE